

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : Civil Action No. 90-22 Erie

v. :

ROBERT BRACE and ROBERT BRACE :
FARMS, INC., A PENNSYLVANIA :
CORPORATION :

Deposition of EDWARD LEWANDOWSKI, taken before
and by Lisa K. Gehringer, Notary Public in and for the
State of Pennsylvania, on Tuesday, April 14, 1991,
commencing at 1:15 p.m. at the Econo Lodge, Route 19
and I-90, Erie, Pennsylvania.

APPEARANCES:

DAVID A. DANA, ESQUIRE, Department of Justice,
Environment and Natural Resources Division,
Environmental Defense Section, Room 7119, Washington,
D.C., attorney for the United States of America.

JOHN D. WARD, ESQUIRE, Vartan Parc, 30 North Third
Street, Eighth Floor, Harrisburg, Pennsylvania,
attorney for the Defendants.

Lisa K. Gehringer
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FERGUSON & HOLDNACK REPORTING

EXHIBIT

6

CD-FRC0003639

I N D E X

EDWARD LEWANDOWSKI

Direct examination by Mr. Ward	1
Cross-examination by Mr. Dana	17
Redirect examination by Mr. Ward	21

1 MR. WARD: This is to be the deposition of Ed
2 Lewandowski. The deposition is pursuant to
3 the notice served upon the US Attorney. It is
4 April the 14th, 1992. We're located in Erie,
5 Pennsylvania.

6 Present, I am John Ward of the firm of
7 Buchanan Ingersoll representing the defendant,
8 Robert Brace, Robert Brace Farms. The
9 plaintiff, United States, is represented by
10 David Dana of the US Attorneys' Office. Also
11 present are Robert Brace and Rhonda McAtee.

12
13 E D W A R D L E W A N D O W S K I, first having
14 been duly sworn, testified as follows:

15
16 DIRECT EXAMINATION

17 BY MR. WARD:

18
19 Q. Mr. Lewandowski, you've been sworn. Would you
20 please state your name for the record.

21 A. Edward Lewandowski.

22 Q. And your address, please?

23 A. My home address?

24 Q. Yes, that would be fine.

25 A. 1139 East 28th, Erie, Pennsylvania.

1 Q. And where are you employed, Mr. Lewandowski?

2 A. I'm employed with the Soil Conservation Service,
3 Department of Agriculture.

4 Q. And where is your office located?

5 A. It's in Waterford on Route 19, RD#5, Route 19,
6 Waterford.

7 Q. And what is your job with the Soil Conservation
8 Service?

9 A. I'm a conservation technician. I do all the
10 layout work pretty much in the Erie County area of
11 conservation practices.

12 Q. And how long have you been doing that particular
13 work?

14 A. Going on thirty-four years.

15 Q. Thirty-four years? And can you just generally
16 describe what your duties are in that position?

17 A. Well, one of the major practices in Erie County
18 is tile drainage and I do a lot of layouts and designs of
19 those practices. And we do -- we build waterways and
20 terraces and conservation ponds for stock water.

21 Q. Is the function of your work out of your office
22 to advise farmers as to those particular activities, the
23 drainages?

24 A. Yes.

25 Q. Have you been doing this work for thirty-four

1 years?

2 A. Yes.

3 Q. Prior to going with the Soil Conservation
4 Service, what did you do? Thirty-four years.

5 A. Well, I did this --

6 Q. Did you farm?

7 A. No, I never farmed, no.

8 Q. All right. Has your work been, in your service
9 with the Soil Conservation Service, in Erie County?

10 A. Yes, only Erie.

11 Q. Only Erie County.

12 A. Correct.

13 Q. Do you know Robert Brace?

14 A. Yes.

15 Q. And how long have you known Mr. Brace?

16 A. Probably twenty years, I would say. That's just
17 an educated guess.

18 Q. And in your work, have you had occasion to be on
19 properties owned by Mr. Brace?

20 A. Yes.

21 Q. Are you familiar with all of his farm properties?

22 A. No, not all of them.

23 Q. Have you had occasion of going to a parcel of
24 property owned by Mr. Brace at the intersection of Greenlee
25 Road and South Hill Road?

1 A. Yes.

2 Q. You do know that intersection.

3 A. Yes.

4 Q. Have you been there very often, if you can

5 recall, in your work?

6 A. Probably a couple times, several times. Several

7 times, I would say.

8 Q. Were you requested by Mr. Brace to go there?

9 A. To layout some tile, yes.

10 Q. What is the procedure in your office? Does a

11 farmer come to your office and make a request for your

12 services?

13 A. Well, in this particular case, Mr. Brace, I guess

14 he applied for some cost sharing for this particular -- or, I

15 think -- for this particular job, and then through the ASCS

16 office. From them, I get a referral from them. And then I

17 contacted Mr. Brace or he contacted me to come out there and

18 lay out the job.

19 Q. The request for cost sharing, you said, was the

20 ASCS office. Can you tell us what that office is?

21 A. The Agriculture Stabilization and Conservation

22 office.

23 Q. And that is in Erie County also?

24 A. Yes.

25 Q. Are your offices situated in the same building

1 with the ASCS?

2 A. Now we are.

3 Q. In May of '87, were you? Do you recall?

4 A. Yes.

5 Q. All right. Is that the general procedure, or is
6 that one of the procedures?

7 A. That's one of them.

8 Q. I see. Do you recall laying out or designing an
9 underground draining system for Mr. Brace in 1977?

10 A. I do recall being there, laying it out, yes.

11 Q. Just a moment. Let me just get something to help
12 you with your memory. Mr. Lewandowski, I'm going to hand you
13 what has been marked in an earlier deposition as Defendant's
14 Exhibit C and ask you if you're familiar with that. It
15 consists of a form and some sketches. I'll ask you if you're
16 familiar with that.

17 MR. DANA: If you're going to have him
18 testify, could you remark it, please?

19 MR. WARD: I'll make a new mark. Yes, I'll
20 remark it. I just want to ask him if he's
21 familiar with that.

22 MR. DANA: Take your time.

23 A. Yes.

24 Q. You're familiar with that form and the sketches?

25 A. Yes.

1 (Lewandowski Defendant's Exhibit E marked for
2 identification.)

3 Q. What has been marked as Lewandowski Defendant's
4 Exhibit E, and it's dated 3-1-77, to your recollection, is
5 that generally the form you've referred to as referrals?

6 A. Yes.

7 Q. And who makes out that front sheet? Do you
8 know?

9 A. The agriculture office, they do this front sheet?

10 Q. And then the procedure is what?

11 A. Well, then they give it to us, and then we go out
12 there and do the work. We have the referral and then we do
13 the work. And then when the work is completed, then I mark
14 it on this sheet here and then we send it back to them.

15 Q. This particular work, was that for what you call
16 cost sharing?

17 A. Yes.

18 Q. Now, what is cost sharing?

19 A. Well, there's a program called the Agriculture
20 Conservation program where they assist farmers into doing
21 conservation practices financially. So it comes to about
22 half. The government pays half and the farmer pays the other
23 half to try to get conservation of the land to help them.

24 Q. By half, do you mean for materials?

25 A. For cost for materials, yes, and installation.

1 Q. Okay. Your name appears on the second page of
2 the report. And, again, this is dated March 1, 1977. The
3 "layout by Ed Lewandowski," are you that Ed Lewandowski?

4 A. That's me.

5 Q. No others around, right?

6 A. No.

7 Q. Okay. There's a sketch on this report showing an
8 intersection of South Hill Road and Greenlee Road. Is that
9 correct?

10 A. Yes.

11 Q. And what all is shown on that particular sketch,
12 if you can just generally describe it in your own way?

13 A. Well, it shows a tile line going up in this area
14 here with laterals branching off to intersect -- to drain
15 certain areas of the field.

16 Q. Okay. Can you orient yourself as to south and
17 west of Greenlee or South Hill Road there?

18 A. South Hill is right here and Greenlee is right
19 here (indicating).

20 Q. Okay. Are you at all familiar with the area
21 which has been the subject of the litigation?

22 A. Yes.

23 Q. Is the area shown there the area that we're
24 concerned about here in this litigation? Is that the same
25 area?

1 A. The area is down here (indicating).

2 Q. You're indicating it's south or in a southerly
3 direction of the South Hill Road?

4 A. Yes.

5 Q. All right. But you do show some calculations or
6 some layout into the area. Is that correct?

7 A. Yes, for the outlet. We had to go underneath the
8 road there and go to that ditch to get a feasible outlet.

9 Q. So the drainage does go into the area that we've
10 been discussing. Is that correct, to your knowledge?

11 A. Yes.

12 Q. Okay. Is drainage in your work with the SCS, is
13 drainage by tiling and ditching a common practice among
14 farmers in Erie County?

15 A. Very much so.

16 Q. Since 1977, on this report you've just
17 identified, have you performed more design work on the Brace
18 property that's the subject of this litigation, to your
19 knowledge?

20 A. Since '77?

21 Q. Yes.

22 A. I don't remember that at all. No, I don't think
23 I did.

24 Q. In your discussions when you go on a property, do
25 you discuss with the owner what he wants to do, or does he

1 ask you what can be done, is that correct, by drainage?

2 A. Well, he tells me what the problems are and then
3 I go over the whole area with him, the areas that he wants to
4 drain and I proceed from there.

5 Q. Do you recall conversations with Mr. Brace as to
6 his intentions or what he wanted to do with the subject
7 property that's south of South Hill Road and west of Greenlee
8 Road? Do you recall any conversations with him regarding
9 that?

10 A. No.

11 Q. But part of that map in there does show tiles
12 going into the subject area, correct?

13 A. Yes.

14 Q. And that was necessary for what?

15 A. To drain the field above there, yes, for an
16 outlet.

17 MR. DANA: To drain the field above the road?

18 THE WITNESS: Yes.

19 Q. If you did not come across this road, if you did
20 not take the drainage from the field above the road, in your
21 experience, was this necessary?

22 A. Yes. If it wasn't, I wouldn't have put it on
23 there.

24 Q. Correct. I understand that. We needed that for
25 the record.

1 A. Because we're trying to find the best outlet
2 available.

3 Q. Right. Right. Does this -- although it doesn't
4 show, do you recall why this design was taken south of the
5 road?

6 A. Well, because I felt that it was the best outlet
7 available to go across the road or another three hundred feet
8 there.

9 Q. What outlet are you referring to here south of
10 the road?

11 A. There's a ditch there.

12 Q. There's a ditch there.

13 A. Yes.

14 (Lewandowski Deposition Exhibit F marked for
15 identification.)

16 Q. Okay. Mr. Lewandowski, I'll hand you what has
17 been marked as Defendant's Exhibit F, which is a copy of an
18 aerial photograph, and ask you if you recognize the scene
19 that that shows, the area. Can you orient yourself with
20 that?

21 A. No.

22 MR. WARD: I'm trying to get him onto the
23 property as to what happens out there.

24 (Discussion held off the record.)

25 Q. Mr. Lewandowski, I'm going to hand you a

1 topographic map, Cambridge Springs geologic survey. And on
2 the map, you will note that a circle has been made
3 designating an area of property there. Do you recognize the
4 roadway system and the location of that circle?

5 A. Yes.

6 MR. WARD: Okay. Where is his exhibit, the
7 report? Do you have that up there?

8 (Brief pause in the proceedings.)

9 Q. Mr. Lewandowski, for purposes of just testifying
10 as to location, can you locate your tile design on
11 Defendant's Exhibit E, I believe it is?

12 A. This here?

13 Q. No, no. In your report -- and locate it on the
14 GS map there, the topo map -- can you give a general
15 indication of where those lines are?

16 A. These lines right here?

17 Q. Yes.

18 A. Yeah, I can do that, to the best of my
19 recollection.

20 Q. Would you do that in red pen, please.

21 A. (Witness complies.) This is just as close that I
22 can come. Somewhere in here, I would say.

23 Q. All right. So you took some tiles across an
24 existing ditch in 1977 on the south of South Hill Road?

25 A. Yes.

1 Q. Okay. And that ditch, that existing ditch, was
2 to serve as an outlet, correct?

3 A. Yes.

4 Q. And in your judgment, if your tile is north of
5 the road, did not have an outlet, what would have happened,
6 if you know?

7 A. Well, the area -- the field, the crop field,
8 would have been wet and causing a problem.

9 Q. All right. Do you recall a conversation with Mr.
10 Brace in '77 regarding the property south of South Hill Road
11 what he intended to do there?

12 A. No.

13 Q. Okay. In '77, did you know Mr. Brace's father,
14 Charles Brace?

15 A. Yes.

16 Q. Was he using the property under discussion here?
17 Do you recall?

18 A. No, I don't recall that.

19 Q. Okay. Did you ever see livestock in the subject
20 property?

21 A. Not that I can recall, no.

22 Q. Okay. You say you've known Mr. Brace twenty
23 years?

24 A. Approximately. You know, it's hard to say,
25 really.

1 Q. Have you had occasion to be around his
2 operations, his farming operations, not just in this
3 particular location, but other aspects of this farm?

4 A. Yes.

5 Q. Do you consider Mr. Brace as following good
6 farming practices as it's done in the area?

7 A. Yes.

8 Q. Are you aware of his reputation as a farmer in
9 the general area?

10 MR. DANA: Objection to relevance. His
11 reputation isn't at issue in this litigation,
12 by any means.

13 MR. WARD: He's a farmer.

14 MR. DANA: His reputation isn't at issue at
15 all in this litigation. You can answer.

16 Q. What kind of a reputation as a farmer does
17 Mr. Brace have?

18 A. Oh, excellent.

19 Q. To your knowledge, are drainage practices still
20 allowed by your office or encouraged by your office for
21 draining wetlands?

22 A. No.

23 Q. Is this because of what is known as a swamp
24 buster act? Are you familiar with the act known as a swamp
25 buster act?

1 A. Yes. Any drainage, according to laws today
2 require permits.

3 Q. Right.

4 A. We can't get involved in anything that hasn't
5 been a crop land for several years. It's got to be already a
6 crop land.

7 Q. Since 1985, I believe? Is that correct?

8 A. Yes.

9 Q. If the work was started in 1985. Are you aware
10 of what is known as the food security act or the swamp buster
11 act?

12 A. Yes.

13 Q. What role does the SCS play in that act? What's
14 your function, if any?

15 MR. DANA: Object again to relevance of this
16 line of questioning. If you know.

17 MR. WARD: Yes.

18 A. In swamp busting?

19 Q. Yes.

20 A. I haven't got into that really.

21 Q. Okay.

22 A. I really can't answer that question.

23 Q. All right.

24 MR. WARD: Let's just take a break here.

25 (Brief recess taken at this time.)

1 Q. I think it would be helpful here if we take
2 another attempt at orienting your sketch with Lewandowski
3 Defendant's Exhibit F. See if you follow me or if I'm doing
4 this correctly. Okay?

5 A. Um-hum.

6 Q. Here's Greenlee Road, and as shown here, this is
7 Greenlee Road. You have to trust me on this. Okay?

8 A. Okay.

9 Q. And this is South Hill Road. All right? So if
10 we are somewhat like this in an approximate orientation, this
11 drainage system would be in this field north of South Hill
12 Road which is not part of the site, correct?

13 A. Correct.

14 Q. Now, this drainage system crosses South Hill Road
15 approximately where, would you say?

16 MR. DANA: Well, if he can orient himself.

17 MR. WARD: Yes.

18 MR. DANA: The photo obviously might -- I
19 mean, if you could do that, but only if you're
20 comfortable with the positioning because they
21 look differently.

22 MR. WARD: Yes, the lines are not exactly
23 oriented --

24 MR. DANA: And there's no scale on
25 that.

1 Q. No, there's no scale, but I'm just trying to
2 approximate locations, that the part of the sketch deals with
3 the design of a tile system and ditch north of South Hill
4 Road, correct?

5 A. Um-hum. Yes.

6 Q. Now, you have a --

7 A. You're saying this section is right here?

8 Q. Yes. That's going up that way and this is South
9 Hill Road here.

10 A. So the building would be right about here.

11 Q. Yes, right, they are.

12 A. It would be someplace in here, I would say, yes.

13 Yes.

14 Q. Are you used to reading aerial photographs?

15 A. Right.

16 Q. What does this line here that I'm indicating,
17 what does that --

18 A. A ditch.

19 Q. A ditch. All right. So you were hooking a
20 drainage system north of the road up to a ditch, I think, on
21 the south of the road. Is that correct?

22 MR. DANA: I mean, it's a leading question.

23 Is that --

24 A. Yeah, I mean, we came across here and came
25 someplace in here, according to what I see right here.

1 Q. Okay. Now, at that time, when you were designing
2 this, did Mr. Brace, knowing the topography of the property
3 and hills and swales and everything, did Mr. Brace indicate
4 to you what he planned to do with the existing ditch to take
5 the water off, what made sense? Did you discuss that with
6 him?

7 MR. DANA: I think you've already asked
8 whether they discussed the plans for the
9 property for the site and he said he didn't
10 recall any discussions.

11 Q. You did not recall any discussions for future
12 plans for the site as far as the drainage goes?

13 A. Not that I can recall, no.

14 Q. Okay.

15 MR. WARD: I have no further questions:

16 MR. DANA: Okay. I have some.

17

18 CROSS-EXAMINATION

19 BY MR. DANA:

20

21 Q. Mr. Lewandowski, I want to orient you again to
22 what's been marked as Defendant's Exhibit Lewandowski E,
23 Referral for Technical Determination, dated, I think, March
24 1st, 1977. Okay?

25 A. Um-hum.

1 Q. Does this reflect the cost sharing program?

2 A. Yes.

3 Q. Okay. And that was a program between SCS and
4 ASCS. Is that right? Or it was by ASCS rules?

5 A. ASCS, they administer the program, and SCS does a
6 technical phase of the program.

7 Q. And was there a requirement as part of the
8 program that fields that were to be drained had been in crop
9 production prior to the drainage being put in?

10 A. Yes.

11 Q. And what was that requirement?

12 A. Back then the requirement was it had to be a crop
13 land two out of the last five years to be eligible.

14 Q. To be eligible for cost sharing.

15 A. Yes.

16 Q. So you wouldn't put tiling in as part of a cost
17 share program unless the field being drained had been in crop
18 production at least two out of the last five years.

19 A. Yes.

20 Q. And that was true in 1977?

21 A. Yes.

22 Q. Was that true throughout the seventies?

23 A. Yes.

24 Q. Okay. Mr. Lewandowski, I'd like you to now look
25 at what is also part of what's been marked as Defendant's

1 Exhibit Lewandowski E but what appears to be a map with marks
2 indicating tiling. Do these marks that I'm pointing to north
3 of South Hill Road indicate tiling?

4 A. Yes.

5 Q. And did you draw this --

6 A. Yes.

7 Q. -- this diagram. Was the purpose of the tiling
8 placed in here to drain the field north of South Hill Road?

9 A. Yes.

10 Q. Was the purpose of the tiling to drain the fields
11 south of South Hill Road?

12 A. No.

13 Q. Now, the tiling or tubing does cross South Hill
14 Road, correct?

15 A. Yes.

16 Q. And the tiling was placed a distance across South
17 Hill Road to take advantage of a water outlet. Is that
18 correct, or a drainage outlet?

19 A. Yes.

20 Q. So, in effect, did this project, in effect, drain
21 water from north of South Hill Road down across to south of
22 South Hill Road?

23 A. It drained the water to that outlet ditch south
24 of South Hill Road, yes.

25 Q. So it brought the water from north of the road to

1 south of the road?

2 A. Yes.

3 Q. If there had been an outlet on the road or north
4 of the road that was technically adequate, would you have
5 used that at the time?

6 MR. WARD: Objection.

7 MR. DANA: Pardon me?

8 MR. WARD: If there had been?

9 Q. Answer the question. If there had been --

10 A. If there was an outlet that was available at the
11 road, it probably would have outleted at the road.

12 Q. So as far as you can recall, the reason you used
13 the outlet south of the road is because there wasn't an
14 outlet that was on the road or north of the road.

15 A. Correct, because we'd have to get underneath the
16 road and normally we have to get permission from the township
17 supervisor to do that. And then you have to use some solid
18 pipe usually. In this case, we used a solid pipe too, six
19 inch solid pipe to go underneath the road, and that's another
20 expense. So other than that, that's why we did it. So I
21 mean, that's the only reason why we did it, to find a better
22 outlet even though it's going to cost a little more to go
23 underneath the road.

24 MR. DANA: Okay. I have nothing further.

25

1 REDIRECT EXAMINATION

2 BY MR. WARD:

3

4 Q. Getting back to the outlet, to carry water,
5 you've got to be going downhill, correct?

6 A. Right.

7 Q. Now, you took that into an outlet that provided a
8 downhill passageway for the water as an outlet, correct?

9 A. Definitely.

10 Q. And did that, what you're calling an outlet
11 ditch, did that traverse around on the property south of
12 South Hill Road to hook up?

13 MR. DANA: Well, if you recall.

14 A. If you're talking about the outlet that we dug
15 the tile?

16 Q. Yes. Sure.

17 A. Yeah, it makes a little bend around there and
18 goes down.

19 Q. So the water is carried off.

20 A. Yes.

21 Q. Okay.

22 MR. WARD: I have no further questions.

23 (Discussion held off the record.)

24 MR. WARD: Just a clarification on a point.

25 Q. You stated that in the cost sharing program --

1 now, again, we're talking about 1977 under this exhibit. In
2 the cost sharing program, in order to qualify for this system
3 and the costs, the land being drained had to be in crops two
4 out of the last five years --

5 A. Yes.

6 Q. -- in 1977?

7 A. Yes.

8 Q. That didn't go into effect with the law in 1985?

9 A. No, it had nothing to do with that.

10 MR. WARD: All right. I have no further
11 questions.

12

13 (Lewandowski deposition concluded at
14 1:45 p.m.)

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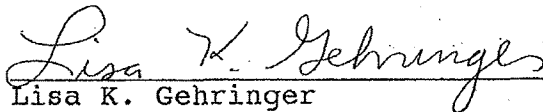
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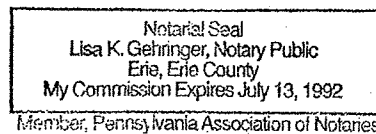
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REPORTER'S CERTIFICATION

I, Lisa K. Gehringer, a Court Reporter and
Notary Public in and for the State of Pennsylvania,
do hereby certify that the foregoing is a true and
accurate transcript of my stenographic notes in the
above-captioned matter.



Lisa K. Gehringer
Court Reporter and Notary Public



Dated: April 20, 1992

RE-247 (4 4)		U. S. DEPARTMENT OF AGRICULTURE Agricultural Stabilization and Conservation Service		AGREEMENT (Check One) ANA <input checked="" type="checkbox"/> LTA <input type="checkbox"/> FIP <input type="checkbox"/>	
REFERRAL FOR TECHNICAL DETERMINATION				REFERRED TO SCS <input checked="" type="checkbox"/> FS <input type="checkbox"/>	
FARM NO.	NAME AND ADDRESS	PROGRAM YEAR	RE-301 (Page and Line No.)		
32	ROBERT H BRACE	1977	Page 4 Line 8		
9A	R D 3		PRACTICE TO BEGIN (Month)		
00	WATERFORD PA 16441		May 1977		
25 1293690 6		FARM PHONE NO.	REFERRAL EXPIRES (Date)		
		796-2174	6-15-77		
FARM LOCATION (And Practice Location, If Desired)		FOR COUNTY COMMITTEE		DATE	
		M. Patricia Eck		3-1-77	

PRACTICE OR COMPONENT(S)			PRACTICE UNITS NEEDED	PRACTICE UNITS PERFORMED	ACRES SERVED (Actual or estimated)
NO.	DESCRIPTION	EXTENT			
A	B	C	D	E	F
SC-10	Underground Drain System 4"	6,000'	6,000	4920	15
	4" steel pipe		20		
	6" STEEL PIPE			50	
	UNDERGROUND DRAIN 6"			880	
Wetland types - 3, 4, or 5 - YES OR (NO)					
WETLAND PROVISION CHECKED BY SCS					

SECTION I - NEEDS STATEMENT

THE PRACTICE SHOWN IN COLUMN B WITH THE UNITS SHOWN IN COLUMN D IS NEEDED AND PRACTICAL FOR THE FARM.

ESTIMATED COST
(If needed)

Two outlets needed. All.
The practice requested is consistent with
the conservation plan.

DATE

SIGNATURE (Designated Technician)

Willie L. Ruffin

3/7/77

SECTION II - PERFORMANCE REPORT

THE PRACTICE SHOWN IN COLUMN B HAS BEEN PERFORMED TO THE EXTENT SHOWN IN COLUMN E AND MEETS PROGRAM REQUIREMENTS. IF THE PRACTICE DOES NOT MEET PRACTICE SPECIFICATION OR IF ADDITIONAL WORK IS REQUIRED, EXPLAIN.

Two outlets installed. All.
No Buried Utilities

DEFENDANT'S
EXHIBIT

Lewandowski E

DEFENDANT'S
EXHIBIT

C
Am 3/8/77

SIGNATURE (Designated Technician)

Willie L. Ruffin

DATE

8/26/77

ESTIMATED TECHNICAL SERVICE
TIME, WHEN REQUESTED (Hours)

TECHNICAL AGENCY COPY

CD-FRC0003664

PA-ENG-19
Rev. 2/72
(File Code-Eng-11)

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

TILE INSTALLATION REPORT

This Report may be completed by the Contractor when his services are used in any or all phases of Tile Installation. Proper completion and prompt return of this Report to the SCS Office will facilitate certification of performance by SCS.

FARMER

ROBERT BRACE

LOCATION ON FARM

GREENLEE RD

DESIGN DATA

SOILS ERIE SILT LOAM

DRAINAGE COEFFICIENT

0.7/1000

RECOMMENDED SPACING

50'

MAIN AND LATERAL(S)				
Number & Station	Acres Drained	Grade	Size	Length
<u>PREVIOUS OWNER</u>				
<u>CHARLES BRACE</u>				

REQUIRED STRUCTURES	
Structure Type	Number
Breather	
Relief Well	
Junction Box	
Manhole	
Surface Inlet	
Other	

PLANNED OUTLET

OPEN DITCH ☒

EXISTING TILE

DIAMETER

CONDITION OF OUTLET

SOME GOOD. FILL NEEDED AT OUTLET

NO BURIED UTILITIES

LAYOUT BY Ed. LEWANDOWSKI 7/77.

CONSTRUCTION DATA

TILE AND STRUCTURES INSTALLED

MAIN AND LATERAL(S)		STRUCTURES	
Tile Size	Length (Feet)	Structure Type	Number Installed
4"	4920'	Breather	
6"	930'	Relief Well	
	5850	Junction Box	
6" STEEL PIPE	20'	Manhole	
6" STEEL PIPE	30' (UNDER ROAD)	Surface Inlet	
4" PLASTIC DRAIN	4920	Other	
6" PLASTIC DRAIN	880		
TOTAL JOB	5850 TOTAL JO		

OUTLET INSTALLED

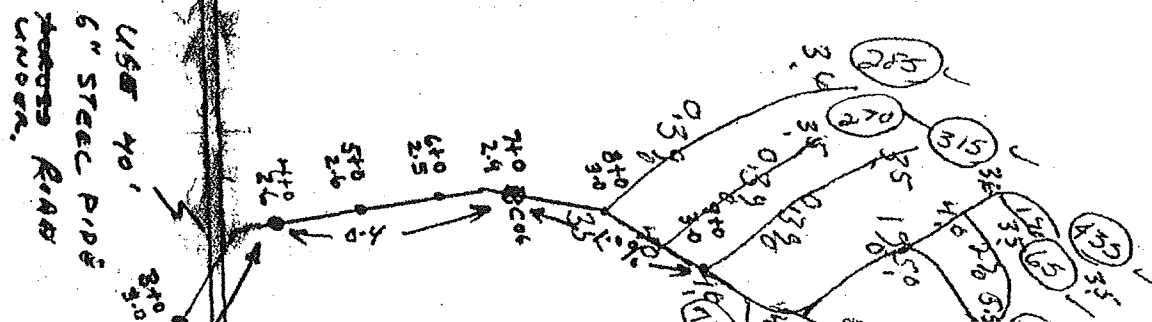
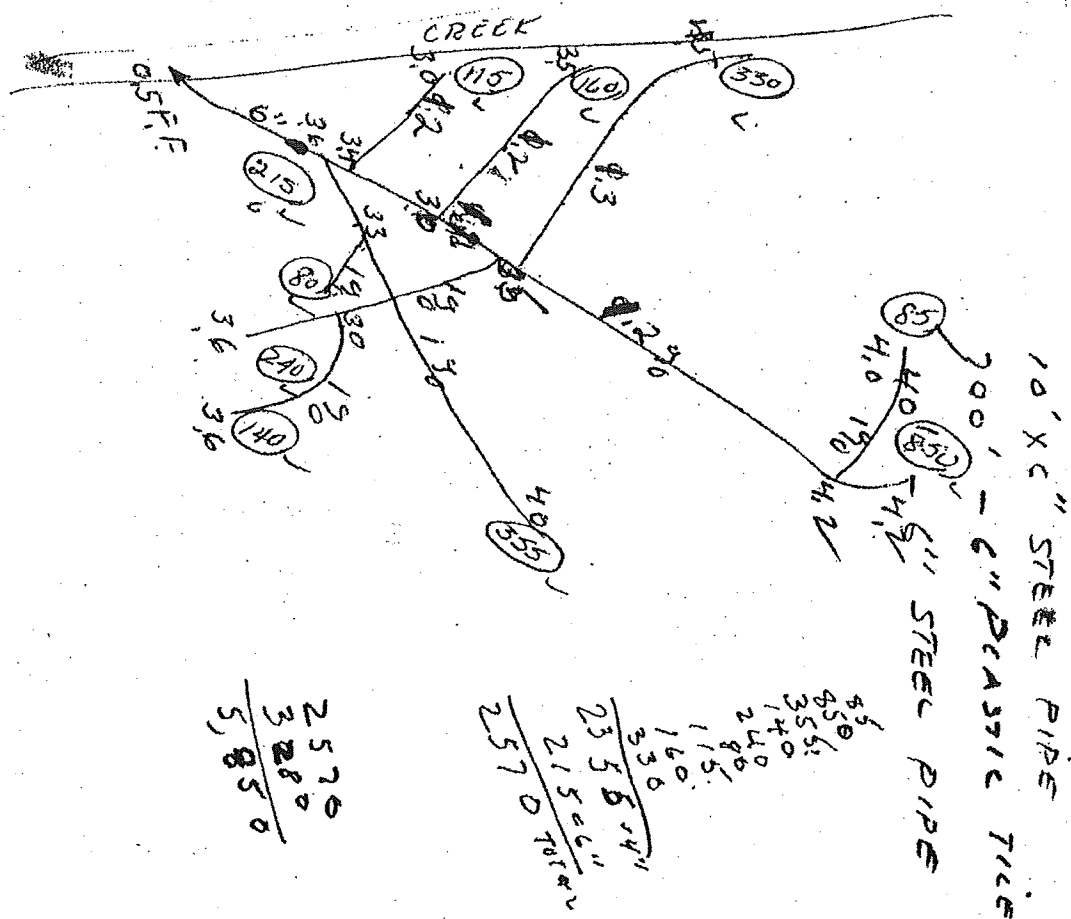
EXISTING TILE _____ DIAMETER _____
 CORRUGATED METAL PIPE Steel LENGTH 10-6" DIAMETER _____
 STRUCTURE _____ 2-10-6"
 ANIMAL GUARD INSTALLED YES ☒ NO ☐ 30-6" under Road
 TILE MANUFACTURER A.P.S.

PROFILE OF MAIN, KEY OR REPRESENTATIVE LINES

Station	Rod Reading or Measurement		Station	Rod Reading or Measurement	
	Ground	Bottom of Trench		Ground	Bottom of Trench

I certify that I have installed the tile in accordance with this Report and Soil Conservation Service Standards and Specifications.

CONTRACTOR RR Shelton DATE July 14 77



DEFENDANT'S
EXHIBIT

Lewandowski 16 f

DEFENDANT'S
EXHIBIT

B



ROBERT BRACE ILLEGAL FILL
WATERFORD TOWNSHIP, ERIE COUNTY, PA
U.S. ARMY CORPS OF ENGINEERS
J. PARODY MAY 13, 1987